

PROJECT: X4040 ESA
SECTION: Asbestos Contaminated
Subdivision in Globe, AZ

INTERAGENCY AGREEMENT

Between THE STATE OF ARIZONA by and through its DEPARTMENT OF TRANSPORTATION and the ARIZONA DIVISION OF EMERGENCY SERVICES.

THIS AGREEMENT entered into this 13th day of September, 1983 between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called "State", and the DIVISION OF EMERGENCY SERVICES, hereinafter called "Division";

WHEREAS, State is empowered by Section 28-114 Arizona Revised Statutes to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and the Director of the Arizona Department of Transportation has delegated to the undersigned the authority to execute same on behalf of the State; and

WHEREAS, Division is empowered by Section 26-306 Arizona Revised Statutes to enter into this agreement and acting by and through its Director, has, by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute same on behalf of Division; and

WHEREAS, Division proposes to appraise and acquire certain asbestos contaminated properties in Globe, Arizona and relocate the residents of said properties; and

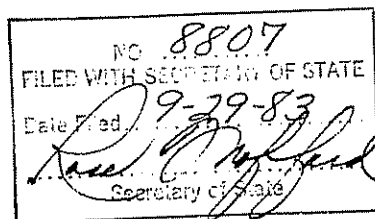
WHEREAS, in order to satisfy certain federal requirements Division requires the assistance of an approved appraisal review service; and

WHEREAS, State agrees to furnish appraisal review services to Division and Division agrees to reimburse State for the value of said services in the manner set forth below.

THEREFORE, the Parties Hereto Agree as Follows:

STATE SHALL:

1. Receive from Division a quantity of real property appraisal reports, which said reports were prepared by a real property appraiser employed by Division.
2. Assign one or more review appraisers from its Right of Way Section to review each appraisal report and ascertain that each report conforms to federal standards.
3. Maintain a log of working hours expended in reviewing said reports and submit to Division, within 30 days after completion of said review services, a bill setting forth the amount due State for said services.
4. Upon completing said review procedures, deliver said reports to Division.



DIVISION SHALL:

1. Deliver to State at its offices at 205 South 17th Avenue, Phoenix, the appraisal reports for State's review.

2. Within 30 days after receipt of the bill from State, remit to State the full amount of said bill. (It is agreed the bill for State's services shall be based on the number of man hours required to complete said review services at the hourly rate of pay normally paid by State to the review appraiser assigned to the project plus State's regular allowance for employee travel expense.)

This agreement shall remain in full force and effect until completion of said project as aforesaid; provided, however, that this agreement may be cancelled at any time prior to the commencement of work by State upon 30 days' written notice to the other party.

All parties hereto acknowledge that this agreement is subject to cancellation by the Governor pursuant to the provisions of Section 38-511 Arizona Revised Statutes.

In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Section 12-1513 (B) and (C) of Arizona Revised Statutes as amended.

Attached hereto and incorporated herein by reference is a copy of State's resolution authorizing entry into this agreement, a copy of Division's resolution authorizing entry into this agreement, a copy of the written determination of the appropriate attorney that Division may lawfully enter into this agreement and said agreement is in proper form, and the Attorney General's acceptance as to form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

ARIZONA DIVISION OF EMERGENCY
SERVICES

BY: 

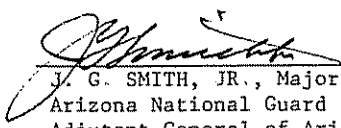
TITLE: Asst Dir 9-13-83

STATE OF ARIZONA
DEPARTMENT OF TRANSPORTATION

BY: 

W. O. Ford
Chief Deputy State Engineer

APPROVED BY:


J. G. SMITH, JR., Major General
Arizona National Guard
Adjutant General of Arizona

DATED: 13 Sept., 1983

PROJECT: X4040 ESA
SECTION: Asbestos Contaminated
Subdivision
Globe, AZ

RESOLUTION

BE IT RESOLVED on this 19th day of August, 1983,
that I, W. A. Ordway, as Director, ARIZONA DEPARTMENT OF
TRANSPORTATION, have determined that it is in the best
interests of the State of Arizona that the DEPARTMENT
OF TRANSPORTATION, acting by and through the Highways
Division, enter into an Interagency Agreement with the
Arizona Division of Emergency Services to provide appraisal
review services for said Division in connection with the
proposed acquisition of the above-designated area.

Therefore, authorization is hereby given to draft said
Agreement which, upon completion, shall be submitted for
approval and execution by the Chief Deputy State Engineer.

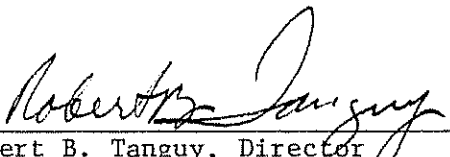
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W. A. Ordway, Director Arizona
Department of Transportation

RESOLUTION

Be it resolved on this 17th day of Sept, 1983,
that I, Robert B. Tanguy, have determined that it is in the
best interests of the State of Arizona that the Division of
Emergency Services enter into an Interagency Agreement with
the Department of Transportation, acting through its Highways
Division which will provide appraisal review services for ac-
quisition of the properties in the Mountain View Mobile Home
Estates Subdivision.

Therefore, authorization is hereby given to draft said Agree-
ment which, upon completion, shall be submitted for approval
and execution by the Assistant Director of Projects and Programs.



Robert B. Tanguy, Director
Az. Div. of Emergency Services

ATTORNEY GENERAL
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

Pursuant to A.R.S. § 11-952, the foregoing agreement, being Attorney General Contract No. 1167, has been submitted to the Attorney General as the attorney for Director of Arizona Division of Emergency Services. The undersigned Assistant Attorney General has determined that said agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Director of Arizona Division of Emergency Services.

DATED this 9th day of September, 1983.

BOB CORBIN
Attorney General

Charles S. Purr
Assistant Attorney General



OFFICE OF THE
Attorney General
TRANSPORTATION DIVISION
1275 WEST WASHINGTON
PHOENIX, ARIZONA 85007
(602) 255-1680

ROBERT K. CORBIN
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. 83-568, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. Sec. 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 26th day of September, 198³.

ROBERT K. CORBIN
Attorney General

A handwritten signature in cursive script, reading "James R. Redpath".
Assistant Attorney General
Transportation Division